

Appl. No. 10/750,505
Amendment dated January 26, 2007
Reply to Office Action of November 13, 2006

JAN 26 2007**REMARKS/ARGUMENTS**

Claims 1-8, 10-19, 21, 22, 35-39, 41-46 and 48 are presented for the Examiner's consideration. Pursuant to 37 C.F.R. § 1.111, reconsideration of the present application in view of the foregoing amendments and the following remarks is respectfully requested.

Rejections Under 35 U.S.C. § 112, second paragraph

By way of the Office Action mailed November 13, 2006, the Examiner rejects claims 1-8, 10-19, 21, 22, 35-39, 41-46 and 48 under 35 U.S.C. § 112, second paragraph. Claims 1, 6, 10, 12, 17, 21, 35, and 42 have been amended to clarify the claimed subject matter without adding new subject matter. Support for these amendments can be found in the present application at page 11, lines 15-34. This rejection is respectfully **traversed**.

Rejections Under 35 U.S.C. § 102(b)

Kao does not disclose each and every element of the claimed invention.

By way of the Office Action mailed November 13, 2006, the Examiner rejects claims 1-8, 10-19, 21, 22, 35, 36, 42, and 43 under 35 U.S.C. § 102(b) as allegedly being anticipated by Japanese patent document JP 10-095,481 to Kao (hereinafter "Kao"). This rejection is respectfully **traversed**.

With respect to independent claims 1, 12, 35, and 42, there is no anticipation by, nor motivation or suggestion in, Kao for one of skill in the art to modify the Kao disclosure to achieve the claimed invention. Kao and the present application describe completely different ways of reducing at least one dimension of an absorbent article. Kao describes compressing an absorbent article to decrease the thickness of the article. See translation, paragraphs 0015 and 0019. The ratios listed by Kao and referenced by the Examiner are a comparison of the thicknesses of an unpackaged, uncompressed article to a packaged, compressed article. Such articles may or may not be folded; the status of folding is irrelevant to the comparison as long as, presumably, the item has the same folds before and after in the comparison. The width and height dimensions of Kao's absorbent articles do not change appreciably under Kao's compression. As a result, Kao does not teach experimenting with reducing the area or footprint of an absorbent article, only compressing the article's thickness.

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On the contrary, the present invention claims a reduction in the overall footprint or area of an absorbent article by folding the absorbent article. The resulting folded article may very well have an increased thickness compared to an unfolded article, which is opposite the effect sought by Kao. That the folding of the present invention and the compression of Kao are not equivalent may be further illustrated by examining the figures in Kao. Folding an absorbent article would likely nearly double the thickness of the article, whereas Kao actually sought to reduce the thickness of the article by compressing the article.

The comparison of folded versus unfolded configuration areas in the present application is quite dissimilar from the comparison of compressed versus uncompressed thicknesses in Kao. There is no way to compare a thickness compression ratio to an area reduction ratio as these are separate and independent physical mechanisms.

Accordingly, for at least these reasons, the Applicants respectfully submit that independent claims 1, 12, 35, and 42 are patentable over Kao. Moreover, claims 2-8, 10, 11, 13-19, 21, 22, 36, and 43, which all eventually depend from these allowable independent claims, are also accordingly patentable over Kao.

Rejections Under 35 U.S.C. § 103(a)

Kao does not teach or suggest each and every element of the claimed invention.

By way of the Office Action mailed November 13, 2006, the Examiner rejects claims 37-39, 41, 44-46, and 48 under 35 U.S.C. § 103(a) as allegedly being obvious and thus unpatentable over Kao. This rejection is respectfully traversed.

For at least the same reasons just discussed for the independent claims, upon which these dependent claims depend, these dependent claims cannot be rendered obvious by Kao. Thus, the rejection of the dependent claims is respectfully requested to be withdrawn.

For the reasons stated above, it is respectfully submitted that all of the presently presented claims are in form for allowance.

Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

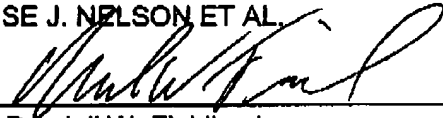
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Respectfully submitted,

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